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*Co-Lead/Liaison Counsel for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF ARIZONA**

**IN RE: BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION**

No. MD-15-02641-PHX-DGC

**PLAINTIFFS' UNOPPOSED  
MOTION TO FILE DOCUMENT  
UNDER SEAL IN SUPPORT OF  
DISCOVERY BRIEFING**

Plaintiffs move this Court for an Order pursuant to the Stipulated Protective Order (Doc. 268), Federal Rule of Civil Procedure 26(c)(1)(G), and Local Civil Rule 5.6, sealing certain documents accompanying Plaintiffs' Memorandum Re Relevancy and Discoverability of FDA Inspection and Warning Letter and Recovery Cone Removal System ("Memorandum"). The exhibits that are the subject of this Motion for Leave to File under Seal are alleged by Bard to constitute trade secrets or other confidential research, development, or commercial information and have been designated by Bard as such pursuant

1 to the Stipulated Protective Order, thereby warranting protection from public disclosure for  
2 discovery related motion.

3 Plaintiffs seek leave to file these documents under seal based on Bard's designation of  
4 them as confidential pursuant to the Stipulated Protective Order; Plaintiffs explicitly reserve  
5 their rights to challenge the confidentiality designations of the documents at a later time,  
6 pursuant to the terms in the Stipulated Protective Order. Based on Bard's designation of the  
7 documents as confidential, Plaintiffs may only submit them to this Court under seal. Bard  
8 does not oppose this Motion.

9 The documents that are the subject of this Motion are described in Exhibit A.

10 For the foregoing reasons, and in order that Plaintiffs can fully brief the issues in the  
11 Memorandum while complying with the terms of various protective orders, the Court should  
12 grant Plaintiffs' leave to file these documents under seal.

13 RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of February 2016.

14 GALLAGHER & KENNEDY, P.A.

15 By: /s/Robert W. Boatman

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of February, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Nancy Jo Koenes

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